

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY

MAY 16, 2006

FROM: CITY MANAGER



1. ROLL CALL: 5:39 p.m.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Steve Leal, Council Members Jose J. Ibarra, Carol West, Karin Uhlich, Shirley Scott, and Nina J. Trasoff, Kathleen S. Detrick, City Clerk

STAFF MEMBERS: Mike Hein, City Manager
Mike Letcher, Deputy City Manager
Mike Rankin, City Attorney

The City Clerk announced that Susie Rogers is in attendance to provide Spanish translation assistance for anyone who needs it.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Chaplain Jeff Mockbee, Tucson Police Department, Detective Division, after which the Pledge of Allegiance was presented by the entire assembly.

- a. Proclaiming May 21 to be "International AIDS Candlelight Memorial Day"
- b. Proclaiming May 21 to May 27 to be "Public Works Week"

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<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – MAY16-06-240</p> <p>Council Member Uhlich announced that the Tucson Police Department and the Meth-Free Alliance have partnered with the Oak Flower and Dodge Flower neighborhoods for a special pilot anti-methamphetamine effort. The kick off for that event is on the 3900 of East Flower, off of Alvernon, on June 3rd, from 8:00 AM – 11:00 AM.</p>	

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3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – MAY16-06-240 (Continued from previous page)

Council Member Trasoff announced that Ward VI is hosting an open house on the Environment, “Go Green” on June 22nd. It will be held from 4:00 PM – 7:00 PM at the Ward VI office at 3202 E. 1st Street. The event is designed to learn about how to protect the environment, and over 20 environmental groups will be in attendance to provide information and answer questions. The public is invited to attend; refreshments will be provided. For information call Laura or Monique at the Ward VI office at 791-4601.

Council Member Trasoff announced that there was a contingent of Brazilian journalists here in Tucson as part of a Rotary exchange. They were here to encourage young people to participate in exchange programs, which sends young journalists to other countries. This summer 3 or 4 young Arizona journalists will be going to Brazil as part of this exchange program.

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS
MAY16-06-241

No report.

5. LIQUOR LICENSE APPLICATIONS – MAY16-06-243

ARCO AM/PM, CITY # 30-06
ARCO AM/PM, CITY # 31-06
ARCO AM/PM, CITY # 32-06
YUKIS SUSHI JAPANESE RESTAURANT, CITY # 33-06
ARCO AM/PM, CITY # 35-06
ELKS 385, CITY # 36-06
SABOR, CITY # 37-06
OUR MOTHER OF SORROWS PARISH, CITY # T31-06
TUCSON INTERNATIONAL MARIACHI CONFERENCE,
CITY # T32-06
PANIZZA ITALIAN BISTRO, CITY # AC09-06

CITY CLERK

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5. LIQUOR LICENSE APPLICATIONS – MAY16-06-243 (Continued from previous page)

Vice-Mayor Leal MOVED and it was duly seconded to direct staff to forward these applications to the State Liquor Board with recommendations for APPROVAL.

Motion PASSED by a vote of 7 to 0.

HIGHNOON SALOON, CITY # 38-06

Council Member Scott MOVED and it was duly seconded to direct staff to forward this application to the State Liquor Board with a recommendation for DENIAL.

Motion PASSED by a vote of 7 to 0.

LOCAL DOUGH, CITY # 27-06

This application has been withdrawn.

6. C O N S E N T A G E N D A

A. FINAL PLAT: (S05-234) HAVEN LANE CONDOMINIUM, UNITS 1 TO 4, COMMON AREAS “A” AND “B”, LIMITED COMMON ELEMENTS 1 TO 4, AND LIMITED COMMON AREA “A” – MAY16-06-244

DIR. OF DEVELOPMENT SERVICES

B. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COMMUNITY COLLEGE DISTRICT FOR EDUCATIONAL COURSES AND PROGRAMS – MAY16-06-245

RESOLUTION NO. 20339

DIR. OF HUMAN RESOURCES

C. APPROVAL OF MINUTES – MAY16-06-246

CITY CLERK

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<p>D. PUBLIC IMPROVEMENT: WILMOT ROAD, BROADWAY BOULEVARD TO GOLF LINKS ROAD AND 28TH STREET, SWAN – BELVEDERE DISTRICT LIGHTING IMPROVEMENT – MAY16-06-239</p> <p>RESOLUTION NO. 20336</p>	<p><u>DIR. OF FINANCE</u></p>
<p>E. ASSURANCE AGREEMENT: (S04-146) ELSTONE II SUBDIVISION, LOTS 1 TO 10 – MAY16-06-248 – MAY16-06-248</p> <p>RESOLUTION NO. 20340</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>
<p>F. FINAL PLAT: (S04-146) ELSTONE II SUBDIVISION, LOTS 1 TO 10 – MAY16-06-247</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>
<p>G. FINANCE: SALE OF CERTIFICATES OF PARTICIPATION FOR CAPITAL IMPROVEMENTS, SERIES 2006-A – MAY16-06-238</p> <p>RESOLUTION NO. 20323</p>	<p><u>DIR. OF FINANCE</u></p>
<p>H. GRANT AGREEMENT: WITH THE ARIZONA DEPARTMENT OF PUBLIC SAFETY FOR THE 2006 MOTOR CARRIER ASSISTANCE PROGRAM – MAY16-06-249</p> <p>RESOLUTION NO. 20341</p>	<p><u>POLICE CHIEF</u></p>

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<p>I. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO VALENCIA ROAD FROM MISSION ROAD TO INTERSTATE 19 AND PETITION FOR ESTABLISHMENT OF VALENCIA ROAD AS A COUNTY HIGHWAY – MAY16-06-251</p> <p>RESOLUTION NO. 20342</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>J. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO COUNTRY CLUB ROAD FROM MILBER STREET TO 36TH STREET AND PETITION FOR ESTABLISHMENT OF COUNTRY CLUB ROAD AS A COUNTY HIGHWAY – MAY16-06-253</p> <p>RESOLUTION NO. 20346</p>	<p><u>DIR. OF TRANSPORTATION</u></p>
<p>K. GRANT APPLICATION: TO THE ARIZONA STATE PARKS BOARD FOR A NATIONAL REGISTER NOMINATION FOR THE JEFFERSON PARK NEIGHBORHOOD – MAY16-06-252</p> <p>RESOLUTION NO. 20343</p>	<p><u>DIR. OF URBAN PLANNING</u></p>
<p>L. GRANT APPLICATION: TO THE ARIZONA STATE PARKS BOARD FOR IMPROVEMENTS TO THE TEMPLE OF MUSIC AND ART – MAY16-06-254</p> <p>RESOLUTION NO. 20345</p>	<p><u>DIR. OF URBAN PLANNING</u></p>
<p>M. ASSURANCE AGREEMENT: (S04-190) VACTOR RANCH SUBDIVISION, LOTS 108 TO 126 AND COMMON AREAS “A”, “B”, AND “C” – MAY16-06-256</p> <p>RESOLUTION NO. 20347</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>

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<p>N. FINAL PLAT: (S04-190) VACTOR RANCH SUBDIVISION, LOTS 108 TO 126 AND COMMON AREAS "A", "B", AND "C" – MAY16-06-257</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>
<p>The City Clerk read into the record the following addition to the Resolution for item "B":</p> <p>"Section 3: City Department Directors are authorized to execute any further addenda as outlined under Article II, Section B of the Intergovernmental Agreement, and the City Clerk is directed to attest the same"</p> <p>Prior Sections 3 and 4 are now Sections 4 and 5.</p> <p>Council Member Trasoff MOVED and it was duly seconded that items on the Consent Agenda be approved and/or adopted and proper action taken.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>7. CALL TO THE AUDIENCE</p> <p>Brian Delfs, President of the Tucson Firefighters' Association, thanked the Mayor and Council for the budget that was presented and the benefit to public safety and his members</p> <p>Linda Hatfield, representative of the White Collar Communication Workers of America, stated that the proposed process for a 2nd opinion on the safety studies request was denied. She spoke about the budget, and they also conducted a wage survey of cities in the Phoenix area. Results indicated the average merit wage is 4%, and in most cases health care costs were absorbed by the city. She also requested an explanation as to why there was an additional 1% for public safety officers and only ½% for white collar/blue collar employees.</p> <p>Michael Toney wanted to know who is killing the Palm Trees at La Placita. He feels the Mayor and Council need policy on greens-keeping procedures. He also spoke about the importance of the International Visitor and Trade Center.</p>	

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7. CALL TO THE AUDIENCE (Continued from previous page)

John Hand opposes the requested change of condition for the El Con Mall/Starbucks development. He feels that there need to be strict guidelines for deliveries and garbage removal, that changing the existing conditions is setting a dangerous precedent and that the original windows for these activities needs to be preserved.

Isabel Garcia stated that the April 10th event was wonderful and was sad to see that Tucson was the only city with police action. She did not agree with the after-action report provided by the department and was disappointed that there was no action taken at today's study session.

Roy Warden feels the City and County created a climate of lawlessness and turned a blind eye to illegal immigration. He supports the actions of the police on April 10th.

Caroline Isaacs requested that the City Council initiate an independent investigation to review the decision to allow a hate group to stage a counter protest, selective and inconsistent enforcement, and use of excessive force. She further requests that the Independent Police Auditor be granted full subpoena power or that an impartial independent investigator be contracted to conduct this investigation.

Russell Dove expressed anger over the invasion of another culture. He also feels that it is difficult for the Tucson Police Department to enforce laws against Mexican Nationals because they do not have to live up to the same requirements as United States Citizens, and supports the actions of the police on April 10th.

Lorena Howard wanted to know why the Tucson Police Department did not protect the protesters from the counter-protesters. She requested that the Council look at the documentation they have compiled and also requested an independent investigation into the events of April 10th.

Lillian Leighton stated there was also police action in Los Angeles during the April 10th protest. She feels that the Tucson Police Department did a good job in protecting the counter-protestors in a dangerous situation.

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<p>7. CALL TO THE AUDIENCE (Continued from previous page)</p> <p>Al Garcia supports the actions of the police on April 10th and praised the procedures used by the Police Department.</p>	
<p>8. ZONING: (C9-56-01, C9-74-34 AND C9-88-12) STARBUCKS – EL CON MALL, R-1, R-2, C-1, C-2, AND C-3, CHANGE OF CONDITION AND ORDINANCE ADOPTION – MAY16-06-250</p> <p>ORDINANCE NO. 10279</p> <p>Council Member Trasoff MOVED and it was duly seconded to PASS and ADOPT Ordinance No. <u>10279</u>.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>
<p>9. FINANCE: TENTATIVE ADOPTION OF FISCAL YEAR 2007 BUDGET – MAY16-06-255</p> <p>RESOLUTION NO. 20337</p> <p>Council Member West MOVED and it was duly seconded to PASS and ADOPT Resolution No. <u>20337</u>.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – MAY16-06-242</p> <p>Council Member West MOVED and it was duly seconded to appoint James Barry and Daniel Sullivan to the Citizens' Water Advisory Committee.</p> <p>Motion PASSED by a vote of 7 to 0.</p> <p>Council Member Uhlich appointed Tom Rhodes as the Ward III representative to the Transportation Enterprise Area Management Oversight Commission.</p>	<p><u>CITY CLERK</u></p>

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11. ADJOURNMENT: 7:03 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, June 6, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

There will be no meeting on May 23, 2006.